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ABSTRACT

The American school board is on trial. The most common accusations are that school boards are irrelevant, unresponsive, provincial, and therefore obsolete. School boards will not meet this challenge if they continue to tolerate certain common obstacles to effective policy-making. New horizons can be reached if boards and their administrators can master and implement the arts and skills of responsible and responsive policy-making. Up-to-date and responsive written policies provide tangible evidence that school boards can indeed govern. Written policies are the chief means by which the school board governs the schools; administrative rules are one of the means by which the superintendent implements the boards policies. A project to codify and update school board policies is much like cleaning the attic. Once the attic is clean, the board and administrator can finally see what is there. However, codifying policies is a time-consuming service that should not be performed by the board itself. The board should operate at the decision-making level, not at the service level of policy manual preparation. (Author/JG)

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THE PROCESS OF DEVELOPING WRITTEN SCHOOL BOARD POLICIES

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Good evening. It is evening, and it is a Sunday evening at that. In Miami Beach--a city where normal people come to play, to cavort, to enjoy comedians, and perhaps bend an elbow or two after dark.

And here we are--perhaps 125 ~~[200/300/400]~~ of us, assembled in this room on a ~~[~~beautiful~~]~~ Florida night ready to consider the subject of "The Process of Developing Written Policies."

You must be school board members. Well, you're my kind of people. Who wants to night-club it up or go dancin' when we can attend a clinic to hear someone talk about how school boards are doing it all wrong?

It's just like home, isn't it? It's like that point in the agenda called "Audience of Citizens." As a former school board member, I remember what it was like to sit back and listen to gratuitous advice. Now it's my turn.

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Not to disappoint anyone here who has come to expect some amount of doomsaying in any talk about school boards, I have sprinkled in about ten-minutes worth of gloom in my remarks. However, most of what I plan to say is intended to be constructive and to restore your belief in the vital importance of school board service.

When you leave this room, I hope you'll be thinking, "Yes, dammit, it is worth the effort to serve on a school board. We lay men and women can be a truly effective force for improving the quality of education for our kids."

To begin:

The text for these Sunday evening suggestions is from two sources: The first is from a study of political interaction in local school districts entitled Governing American Schools by L. Harmon Ziegler and M. Kent Jennings.* The second is from a newsletter to parents issued by a local school board in a state that shall be nameless.

The text from Ziegler and Jennings:

> "It is patent that, when measured against the yardstick of classic democratic theory, school district governance hardly comes through with flying colors....If we are going to maintain the trappings of democracy in education, then the realities of democracy should be achieved. School boards should govern or be abolished [emphasis added]."

The text from the school district newsletter appears under a headline which declares in large type: IMPORTANT FEBRUARY SCHOOL BOARD ACTIONS. This is the first action listed:

* Duxbury Press, 1974

> Granted permission for use of school facilities for rehearsal by the YWCA Girls Twirlers Club and for the annual Policemen's-Firemen's Donkey Basketball Game. Permission denied for use of school facilities for a spring fashion show by Highline Fabrics Shop.

I realize that my second--and slightly fictionalized--text represents an extreme example of the way school boards sometimes waste time. Most of the boards represented in this room probably have a workable policy on "Community Use of School Facilities." Yet, I'm also sure that almost everyone in this room could cite at least one example of their own of a "donkey-basketball" type decision that has consumed too much valuable time and energy.

But my primary theme is the Ziegler-Jennings' judgment: "School boards should govern or be abolished."

The American school board <u>is</u> on trial. The charges leveled against this venerable institution vary with the accuser.

Some critics allege that the presence of school boards on the educational scene accounts for nothing. The real curriculum happens when the teacher shuts the classroom door. A school board has no influence at all as to whether a teacher's teaching is going to be exciting and effective--or deadly dull, or possibly even damaging to students. Who needs school boards?

Other critics allege that school boards <u>do</u> exercise power and influence. But they exercise it in wrongheaded ways. They control bureaucratic central office bastions that are heedless of legitimate petitions to redress grievances or to open up the schools to fresh ideas and more relevant educational offerings.

There are those, too, who say it is folly in our post-industrial society--a society in which education must be regarded as a vital resource for the nation's future--to place the reins of leadership in the hands of merchants, lawyers, housewives, dentists, and farmers. These people aren't professional. Isn't it more sensible to place control in the hands of knowledgeable careerists in the field?

And there are still others who allege that it is the localism of the local school board that's bad. American families today are highly mobile. Houses are traded in as fast as used cars as families move from community to community and state to state. And the state-wide interest in quality education--indeed, the national interest--is so great that it is imperative to remove educational planning, policy, and governance from the local community to the statehouse, or possibly even to Washington.

So run the most common accusations: School boards are (a) irrelevant, (b) unresponsive, (c) provincial and therefore (d) obsolete.

The ultimate verdict in the trial of the American school board will depend, we believe, on one factor: results. In the public school arena, "results" mean nothing less than seeing to it that all children will be equipped with a useful and personally rewarding education. All children--the handicapped, the robust, the highly motivated, the recalcitrant, the gifted, the slow, the son of the affluent suburbanite, and the daughter of the ghetto dweller or migrant worker.

But is there any significance in this trial of the American school board? Does the ultimate verdict matter one way or the other?

Yes, it matters. If the idea of democracy matters, the institution

of the local school board matters. The local board of education comprised of a representative group of local citizens is intended to function as an agency to implement the ideals of representative government. School boards are supposed to be exemplars of that latter-day term, "participatory democracy." If school boards disappear as significant instruments of educational governance, they will be replaced by agencies of control that are remote from the local people for whom the schools exist.

If, however, school boards can meet and surmount the new and difficult challenges of leadership, the men and women who serve on them will have achieved an almost impossible dream. The dream is this: that despite the complexities of our modern society, powerful lobbies, and powerful and sometimes self-serving employee organizations, the people will have proven that they can govern themselves responsibly in an arena of great importance--education.

But school boards will not meet the challenge if they continue to tolerate certain common obstacles to their effectiveness as policymaking bodies.

One of the most common obstacles might be described as the "over-clogged agenda." Many school boards get sucked into a vortex of trivia. Agendas do get stuffed with detail. Sometimes it is supplied as busywork by superintendents who, either purposely or not, keep "Education" from becoming an item of board business. Sometimes the detail is there at the insistence of board members who perhaps prefer playing the role of back-up administrators. But unnecessary detail is the bane of conscientious and education-minded board members who see hour after hour consumed at meetings on the matter of the

leaky roof rather than on the matter of the irrelevant curriculum or the inadequacies of staff performance.

Needless controversies comprise another kind of obstacle to effectiveness. And note the qualifier, "needless," for some amount of controversy will always attend decisionmaking in education. Few issues are so simple that they can be resolved with a full consensus or without the necessity of honest debate. But unnecessary troubles and disputes to arise when school boards fail to look across school district and state lines to learn of good practices from other boards and also to learn from their troubles and mistakes. Consider, too, for its recognition value here, this familiar plaint from a school administrator: "Is there anything more trying than to see a board of education go to pot right before one's eyes? The president seems to have lost his gavel. As time goes on, he seems to have lost his watch. With all the commotion, it's difficult to distinguish board members from the multitude. You sit there helplessly as the public spectacle comes crashing down, covering up good intentions with emotional debris that only time in her infinite and indefinite way can remove."

Two other impediments are opposites in kind. The first is the temptation for a board and its top administrators to function as though this group of decisionmakers comprised some sort of insider's club. Where the syndrome continues to exist it is characterized by a board that seemingly thinks that it has the local monopoly on all facts and wisdom. Therefore it will make all decisions unilaterally without help or suggestion from "ousiders" (like parents, or students, or teachers). Woodrow Wilson once said, "I use not only all the brains

I have, but all I can borrow." This is excellent advice.

The other temptation is to "give away the store" by being overly generous with the board's decisionmaking authority. To paraphrase Wordsworth, "We bargain away our powers/Little we see in policy that is ours." This, of course, is illegal. No school board has the right to relinquish its legal authority. It is one thing to encourage the involvement of staff, students, and public in the making of decisions. It is quite another to allow other groups or individuals to be the ultimate determiners of those decisions.

It's ironic that school boards are plagued by such common ailments, for--by and large--earnest and dedicated people serve on school boards. Most school board members are motivated by a desire to make significant contributions to the cause of public education and to move the schools toward new horizons.

I suggest that new horizons can be reached if school boards and their administrators can master and implement the arts and skills of responsible and responsive policymaking. For it is in their role as policymakers that lay board members can make significant and signal contributions to the advancement of public education.

For example, what could be more exciting and dignifying for lay school board members than to fashion an educational philosophy that has real meaning, life, and force...than ot lead their communities in the articulation of high goals and objectives designed for accomplishment...than to establish effective evaluation standards--and to see to it that evaluations of programs and personnel get done... than to set guidelines for staff actions and student behavior that

promote growth and development...than to see to it through their trusteeship of the schools that the schools get in touch and stay in touch with the needs of our society?

Such is what I mean by "policy matters." They are the most important matters for school boards to deal with--much more important than the matter of the leaking roof.

Written policies--kept up-to-date and responsive to the needs of students, the community, the state, and the nation--provide tangible evidence that school boards can indeed govern. They demonstrate that the board is running a businesslike operation. They serve to inform everyone about the board's intent, goals, and aspirations. Ambiguity, confusion, and trouble result when policies are not in writing. They give credence to board actions and establish a much-needed legal mandate for staff decisions and actions. In addition, written policies have the virtue of being impersonal. They make whimsical administration difficult. They serve to foster stability and continuity. Board and staff members may come and go, but the policy manual (kept updated) will endure and help assure smooth transitions when organizational or staff changes occur. They also contribute to the board's efficiency. Routine decisions can be incorporated into written policies, and thus free up board meeting time for more important matters. And they serve to clarify board-superintendent functions. When the board establishes policy guidelines, the superintendent can get on with his or her daily work. But most importantly of all, they give the public a means to evaluate board performance. Publicly pronounced policy statements prove that the board is willing to be held accountable for the way it exercises its governance responsibilities.

O.k., now what? I've suggested some of the advantages of written policies. Now, how does a board proceed to get its policy house in order?

Oh, boy. That's hard.

Not for me, but for you.

There is no easy way to master the policy development process. It means more work by central office administrators. I means more discipline in the way the school board approaches and deals with its agenda items. It means that the board and its top administrators will have to work diligently with various groups--sometimes with groups of conflicting interests--in the resolution of policy issues. Perhaps worst of all, it means spending money for a function which has not been anticipated in the budget.

Of that I am certain. Policy development means work. And I am also certain that the board that habitually says "We're going to 'do' our policies some day" will never "do" its policies. For one thing, policies don't "get done." They are developed, revised, reviewed, re-evaluated, and rethought on an almost continuing basis. As I shall suggest in a moment, policy development is a process that never ends.

But I'm on the spot now to deliver the constructive remarks I promised earlier. So in the remaining time, I'll attempt to cover four major practical points.

First, I'll suggest what I think that phrase--"school board policies"--means in today's context of negotiation and federal and court involvement in educational affairs.

Second, I'll describe a pattern of activity--or model--which

school boards might want to follow to control the policy development process.

Third, I'll review briefly the steps necessary to update or recodify an obsolete policy manual.

And fourth, I'll offer a very rough ballpark estimate as to how much money a board should be prepared to spend in implementing an effective policy development system.

First, the matter of definitions. A policy, says my Merriam-Webster, is a "guide to present and future actions." My friend, Ben Brodinsky, puts it this way: a policy is an idea designed to bring action.

This makes board members "idea people" and administrators "action people." (Although good ideas from administrators and others are, of course, to be most cordially welcomed by the policy-minded school board.

Written policies are the chief means by which the accountable school board governs the schools; administrative rules (or "procedures" or "regulations") are one of the means by which the board's executive agent--the superintendent--sees to it that policies are carried out.

In addition to these formal rules and regulations, the superintendent performs his or her administrative function in many other ways--through informal memoranda and directives, by holding meetings, by inspiring staff, by coercing when necessary.

NSBA's definition of school board policies and administrative rules reads like this:

> Policies are guidelines, adopted by the board, to chart a course of action. They tell what is wanted and may also

include why and how much. They should be broad enough to admit discretionary action by the administration in meeting day-to-day problems, yet be specific enough to give clear guidance.

Rules are the detailed directions developed by the administration to put policy into practice. They tell how, by whom, where, and when things are to be done.

These definitions reflect theory and should be serviceable most of the time. But not all of the time. The real world of real school boards does not always conform to theory.

For one thing, state laws and federal guidelines often detail the how, whom, where and when as well as the what and the why. Yet such edicts are "mandated policies," and they should be acknowledged as such in local board policy manuals.

Then, too, there are policies which become embedded into master contracts with employee groups; there are policy actions taken at board meetings which get recorded in the minutes but not incorporated into the policy manual; and there may even be "unwritten policies"--the common practices of the district which could have force of common law.

If school boards are to govern and administrators are to manage, it is obviously important that board members and administrators know what the policies are--all the policies. And that's the chief value of a comprehensive, well-codified, and constantly updated policy manual. It provides everyone with "must know" information. It also helps if policies and rules are developed routinely according to a definite plan or model.

That leads me to the second major point: the sequence of activities that many boards follow to control the policy development process.

As I mentioned a moment ago, policymaking is a never-ending job, for there is literally no end to the problems, issues, needs--and opportunities--that come before the board and require policy determination.

But the process of developing policies can be managed. There is no need for school boards and their executive staffs to make policy under the gun or in response to some pressing emergencies. This kind of "instant policymaking" courts disaster.

Consider as an alternative this version of the birth and maturity of a well-developed written policy.

1. PIN emerges. "PIN" is our shorthand for a problem-issue-need. Any of these situations may be a PIN.

The Board president's second cousin Oliver is low bidder for the fuel oil contract. A policy may be needed to define conflict of interest situations.

A women's organization wants a woman appointed to fill the vacancy of school business manager. Policies on Equal Opportunity Employment and Recruiting and Hiring may be needed.

The parents of a crippled child have threatened to take legal action because their son has been excluded from the regular school program. A policy may be needed to introduce the concept of mainstreaming into the district's approach to the education of handicapped youngster.s

PINS are infinitely varied in nature, and they come to the board's attention from many sources--parents, students, teachers, the superintendent, board members, taxpayers, patriotic societies, civil rights groups, etc., etc., etc.

2. Study needed. Faced with a given PIN (and no board is ever at a loss for PINs), the board studies the problem, or issue, or need. If

the matter is simple and uncomplicated, stage #2 may be completed swiftly and perhaps involve no one other than the superintendent and board. If the matter is complicated or sensitive, however, the study may take weeks, months, or even a year or two. It may also involve many others in the amassing of facts and information. Such "others" may include any logical source of help, from ad hoc committees to consultants.

3. Policy proposal. Once the PIN has been researched, a recommended policy is prepared by the superintendent's office. The actual job of putting words on paper is entrusted to a capable writer--someone who can write clear prose in which meaning is unmistakable. When the draft is ready, copies are disseminated to representatives of those groups who would be most affected. Their ideas for improving upon the proposal are freely sought and are given serious consideration. The superintendent, however, should make the final recommendation since he or she must stand behind the proposal.

Eventually, the draft policy has the superintendent's stamp of approval, copies are sent to board members, and the proposal is placed on the agenda for an upcoming board meeting for a "first reading."

4. Due notice and first reading. Once again, those most interested in the proposed policy are notified that action by the board is imminent. This is especially important if the policy deals with a controversial issue. Dissenters should be given the opportunity to make their views known to the board and to offer alternative proposals.

Most school boards, incidentally, take final action "at a subsequent meeting," not at the meeting when the proposal is first put on the table. The delay, or cooling off period, offers an opportunity for questions, discussions, and perhaps debate. The first reading of

the policy proposal is, of course, made at an open meeting, and visitors have the opportunity to make their views known.

5. Policy adoption. By the second (or action) meeting, board members presumably have b ecome familiar with the research and reasoning behind the superintendent's proposal, they have listened to the counter-arguments, and they have contributed their own thoughts, comments, and ideas. They are ready to vote. And they do.

If rejected, the proposal goes back to the central office with instructions as to what the board wants, and the policy draft writer prepares a new draft which reflects more accurately the board's will. If adopted, with or without modifications, the policy becomes, of course, official.

The board's review of the administrative rules and other procedures necessary for implementing the policy may not be essential. The board has this prerogative. But if it has confidence in its superintendent, it will not normally intervene in the area of routine policy execution.

6. Dissemination. The administration disseminates copies of information about the new PIN policy and administrative rules as widely as possible. It does not "bury" these in the minutes. It makes sure that all statements are properly codified and included in all copies of the policy manual in circulation. And it sees that the policy is executed equitably and that it is a viable factor in local school governance.

7. Evaluation. The board will certainly evaluate its PIN policy along with all other policies. It requests reports from time to time to check on whether or not policy objectives are being achieved. If not, it wants to know why not. If it finds any policy to be untenable, it stands ready to revise that policy. Thus, a new PIN would emerge--and all players would return to "GO," i.e., to stage #1.

I emphasize again that these aren't "seven easy steps." Again, policy development requires hard and diligent work. It requires involving persons of different temperament and ability--and persons who may have diverse goals--in the decisionmaking process. And it takes a dogged dedication to the cause of good schools.

The third point I said I'd mention has to do with a project, not the process which we've just considered. A project has a beginning and an ending. And I speak here of the tasks entailed in producing an up-to-date, codified manual of board policies.

This project is often necessary because board members, administrators, teachers, students, parents, no one really knows what the district's policies are. This situation exists when some policies are buried in the minutes, some appear in different form in different staff and student handbooks, some appear in the master contracts, some appear in the obsolete policy manual that no one uses any more, and some are mixed up with various and sundry administrative memoranda.

The dangers of this situation are obvious and ever-present. It invites misunderstanding, confusion, and controversy.

These dangers are eliminated when school districts take the necessary steps to obtain a comprehensive and current policy manual.

A project to codify and update school board policies and administrative rules is very much like cleaning the attic. It involves a lot of sorting, searching, and re-arranging. If done well, such a project entails tasks such as these:

--Searching all important school district documents for information relative to policy or administrative procedure

--Identifying both explicit and implied policies and rules

--Analyzing all statements as to their appropriateness for display in the new manual either as the policies of the board or as the operating rules or procedures of the administration

--Providing technical editing of all statements in order to meet the requirements of acceptable English usage, eliminate redundancies, and weed out contradictory and extraneous matters

--Checking all statements for consistency with state law, state education department regulations, federal guidelines, and court rulings

--Identifying vital areas of concern which are not presently covered by written policy

--Preparing written recommendations for board action regarding needed new policies and/or revisions in existing policy

--And attending to all the details of typing, proofreading, duplicating, acquiring and imprinting binders, and--in general--producing a major new reference book: the policy manual.

Once the attic is cleaned, the board and the administration can finally see what is there. They now have a corporate memory of all past decisions that relate to the governance and management of the schools They may not make needed changes in policy and in administrative procedure on a much more orderly and systematic basis than before.

Codifying policies is essentially a time-consuming service. It is a service performed <u>for</u> the board, not by the board or a board committee. The board's policy role should be deliberative. The board operates at the decisionmaking level, not at the service level of manual preparation.

As a service task, the actual work of carrying out a policy codification project may either be provided by in-house staff or by a

consultant brought in to work under the direction of the superintendent.

A staff member given the assignment will undoubtedly know more about the district, its history, and its problems than the outside consultant. Also, his services can be provided with a relatively small outlay of "new money." But unless the staff member is relieved of other duties and is provided with some funds for materials and clerical help, the job will probably drag out over many months and possibly years. Typically, the staff member given the job to develop a policy manual finds himself called away time after time to attend to emergencies or "more pressing" duties.

A qualified consultant, in contrast, can be expected to move the job along more quickly--and more professionally--than the in-house staff member. The consultant is, after all, a specialist in board policy development and in policy systems. The consultant and his or her support staff are geared up to codify and produce board policy manuals, so it should be expected that the consultant will get the job done with all deliberate speed to the full satisfaction of the client school board. The consultant's services will, however, require a fee.

That brings me to my fourth and final point: money. And three factors will suggest the financial commitment which might be required to launch and maintain a first-rate policy development system.

Factor 1: A subscription to NSBA's Educational Policies Service (EPS/NSBA). This program offers a package of basic reference materials and continuing publications specifically designed to help school boards get and keep their policies up-to-date. Subscribers also enjoy on-call reference rights from the EPS/NSBA Clearinghouse on School Board Policies.

The first-year membership fee is $195 and the fee to renew in subsequent years if $95, with discounts offered to school boards that maintain concurrent membership in NSBA's Direct Affiliate Program. The EPS materials are on display in the exhibit area at Booth 915--the NSBA booth.

Factor 2: Updating and recodifying the policy manual. The EPS/NSBA materials provide complete instructions and the tools necessary for conducting a policy manual project in-house and employing school district staff. Many first-rate school districts have done this job on their own and without employing outside help. Seattle, Anaheim, and Roanoke are just a few of the many school systems that have gone this route. But many other school systems have turned to outside consultants, including my own department, to get this job done. The cost of such contracts vary because each job requires a different investment of time and has different travel and printing requirements. A job for a small school district with a limited number of documents to be searched and requiring a small amount of travel and the proeuction of only 15 or 20 policy manuals might cost about $6000 or $7000; a job for a larger district with a very messy "policy attic" and requiring much travel and perhaps 300 or 400 policy manuals might cost $15,000 or $20,000. Information about NSBA's work in this field is also available at Booth 915.

Factor 3: Management and continuing support. A board may subscribe to EPS; it may invest several thousand dollars in updating its policy manual. But without continuing management and administrative monitoring of the policy development system, all that money might as well be thrown out the window. The superintendent is the key figure

for getting policies on the agenda. The superintendent's office should do the research for policy proposals and prepare draft policies for the board's consideration. The superintendent's office must provide the mechanisms necessary to get the reactions of concerned groups to policy ideas. And the superintendent's office must attend to the care and keeping of the policy manuals in circulation. I can't put a dollar sign to the cost necessary to support a policy directive system, but if the central office is understaffed and/or undertrained, this system will never work. It could very well be the highest expense of all, consuming perhaps half or more than half of the salaried cost of a capable second-line administrator and his or her secretary.

The idea that written board policies are important has been with us for many years. For example, I have in my files back home a copy of a 10-part written "policy" that was developed in the year 1684 by Ye Committee of Trustees for the Grammar School at New Haven.

Why is it that 291 years later that we are still puzzling about getting our policies into written form? There are good reasons, and I'll leave you with seven ready-made excuses for <u>not</u> getting your district's policy manual brought up-to-date:

1. It's the start of a new school year; we are much too busy.
2. It's the end of a school year; we are much too busy.
3. It's the middle of the school year; we are much too busy.
4. We're too busy.
5. It's under study.
6. We're in the middle of a crisis. All hell has broken loose.
7. There isn't any crisis, so what's the rush?

Thank you for your attention.